

**IDAPA 31**  
**TITLE 21**  
**Chapter 01**

**31.21.01 - CUSTOMER RELATIONS RULES FOR GAS, ELECTRIC  
AND WATER PUBLIC UTILITIES REGULATED BY  
THE IDAHO PUBLIC UTILITIES COMMISSION  
(THE UTILITY CUSTOMER RELATIONS RULES)**

**101. DEPOSIT REQUIREMENTS (RULE 101).**

**01. Residential Customers.** No utility shall demand or hold a deposit from any current residential customer or applicant for residential service without proof that the customer or applicant is likely to be a credit risk or to damage the property of the utility. A ~~history of late payment or~~ lack of previous history with the utility does not, in itself, constitute such proof. A utility shall not demand or hold a deposit under this rule as a condition of service from a residential customer or applicant unless one or more of the following criteria applies:

~~(7-1-93)~~( )

a. The customer or applicant has outstanding a prior residential service account with the utility ~~or any other nonmunicipal utility (whether regulated or unregulated)~~ that accrued within the last four (4) years and at the time of application for service remains unpaid and not in dispute.

~~(7-1-93)~~( )

b. The customer's or applicant's service from ~~any the utility described in the previous sentence~~ has been terminated within the last four (4) years for one (1) or more of the following reasons:

~~(7-1-93)~~( )

i. Nonpayment of any undisputed delinquent bill;

(7-1-93)

ii. Misrepresentation of the customer's or applicant's identity for the purpose of obtaining utility service;

(7-1-93)

iii. Failure to reimburse the company for damages due to negligent or intentional acts of the customer; or

(7-1-93)

iv. Obtaining, diverting or using service without the authorization or knowledge of the utility.

(7-1-93)

c. Information provided by the applicant upon application for service is materially false or materially misrepresentative of the applicant's true status.

(7-1-93)

d. The applicant did not have service with the utility for a period of at least twelve (12) consecutive months during the last four (4) years, and does not pass an objective credit screen.

( )

e. The applicant requests service at a residence where a former customer who owes a past due balance for service incurred at that location still resides.

( )

f. The utility has given the customer two (2) or more written final notices of termination within the last twelve (12) consecutive months. ( )

**02. Small Commercial Customers.** A utility shall not demand or hold a deposit as a condition of service from any current small commercial customer or applicant for small commercial service unless one or more of the following criteria apply: (7-1-93)

a. Any of the criteria listed in Rule Subsection 101.01 of this rule are present. (7-1-93)

b. The applicant is applying for service for the first time from that utility. (7-1-93)

~~c. The customer fails to establish good credit.~~ (7-1-93)

**03. Bankrupt Customers.** If an applicant for service or a customer, either residential or small commercial, has sought any form of relief under the Federal Bankruptcy Laws, has been brought within the jurisdiction of the bankruptcy court for any reason in an involuntary manner, or has had a receiver appointed in a state court proceeding, then deposit may be demanded as allowed by the Federal Bankruptcy Act of 1978, as amended, and, in particular, 11 USC 366, or as directed by the state court. (7-1-93)

## **102. OTHER DEPOSIT STANDARDS PROHIBITED -- RESIDENTIAL CUSTOMERS (RULE 102).**

A utility shall not require a deposit or other guarantee as a condition of new or continued residential utility service based upon residential ownership or location, income level, source of income, employment tenure, nature of occupation, ~~commercial credit records~~, race, creed, sex, age, national origin, marital status, number of dependents, or any other criterion not authorized by these rules. Rules governing deposits shall be applied uniformly. (7-1-93)( )

(BREAK IN CONTINUITY OF SECTIONS)

## **105. AMOUNT OF DEPOSIT (RULE 105).**

**01. Amount Of Deposit.** A deposit allowed pursuant to Rule 101 as a condition of service shall not exceed one-sixth (1/6) the amount of reasonably estimated billing for one year at rates then in effect. For customers who use gas service for space heating purposes only, the deposit shall not exceed the total of the two (2) highest months' bills during the previous twelve (12) consecutive months, adjusted for currently effective rates. ~~This estimate is to~~ Deposit amounts shall be based upon the use of service at the premises during the prior year or upon the type and size of customer's equipment using the utility's service. (7-1-93)( )

**02. Installment Payments Of Deposit.** The utility shall provide the applicant an opportunity to pay the deposit in two (2) installments. The applicant shall be allowed to pay one-half (1/2) of the deposit amount at the time of application, with the remaining installment payable in one (1) month. (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

### **310. INSUFFICIENT GROUNDS FOR TERMINATION OF SERVICE (RULE 310).**

No customer shall be given notice of termination of service nor shall the customer's service be terminated if: (7-1-93)

**01. Unpaid Bill Less Than Fifty Dollars.** The customer's unpaid bill cited as grounds for termination totals less than fifty dollars (\$50) or two (2) months' charges for service, whichever is less. (7-1-93)

**02. Unpaid Bill Not Customer's.** The unpaid bill cited as grounds for termination is for utility service to any other customer (unless that customer has a legal obligation to pay the other customer's bill) or for any other class of service. (7-1-93)

~~**03. Failure To Pay On Written Guarantee.** The reason cited for termination is failure to pay on a written guarantee as provided for in Rule 103.~~ (7-1-93)

**043. Non-Utility Service Or Goods.** An unpaid bill results from the purchase of non-utility goods or services. (7-1-93)( )

### **311. RESTRICTIONS ON TERMINATION OF SERVICE -- OPPORTUNITY TO AVOID TERMINATION OF SERVICE (RULE 311).**

~~**01. When Termination Not Allowed.** Unless the customer affected has consented in writing, sService shall not be terminated on any Friday after 12:00 noon 2:00 p.m., or on Saturday, Sunday, legal holidays recognized by the State of Idaho, or after 12:00 noon 2:00 p.m. on any day immediately preceding any legal holiday, or at any time when the utility's business offices are is not open for business, except as authorized by Rules 303.01 and 303.02. Service may be terminated between the hours of 4:00 p.m. and 9:00 p.m., Monday through Thursday, if the utility is unable to gain access to the customer's meter during normal business hours. Unless otherwise authorized by this rule, Rules 303.01 and 303.02, or the affected customer in writing, Sservices may be terminated only between the hours of 8:00 a.m. and 4:00 p.m., except as authorized by Rules 303.01 and 303.02.~~

(7-1-93)( )

**02. Personnel To Authorize Reconnection.** Each utility shall have personnel available after the time of termination who are authorized to reconnect service if the conditions cited as grounds for termination are corrected to the utility's satisfaction. Service shall be reconnected as soon as possible, but no later than twenty-four (24) hours after the utility's conditions are satisfied and the customer requests reconnection. (7-1-93)( )

**03. Opportunity To Prevent Termination Of Service.** Immediately preceding termination of service, the employee designated to terminate service shall identify himself or herself to the customer or other responsible adult upon the premises and shall announce the purpose of the employee's presence. This employee shall have in his or her possession the past due account record of the customer and shall request any available verification that the outstanding bills are satisfied or currently in dispute before this Commission. Upon presentation of evidence that outstanding bills are satisfied or currently in dispute before this Commission, service shall not be terminated. The employee shall be authorized to accept full payment, or, at

the discretion of the utility, partial payment, and in such case shall not terminate service. Nothing in this rule prevents a utility from proceeding with termination of service if the customer or other responsible adult is not on the premises at the time of termination. (7-1-93)(\_\_\_\_\_)

**04. Notice Of Procedure For Reconnecting Service.** The employee of the utility designated to terminate service shall give to the customer or leave in a conspicuous location at the service address affected a notice showing ~~the employee's Company employee number~~, the time of and grounds for termination, steps to be taken to secure reconnection, and the telephone numbers of utility personnel or other authorized representatives who are available to authorize reconnection. (7-1-93)(\_\_\_\_\_)

**05. No Termination While Complaint Pending.** Except as authorized by order of the Commission or of the Judiciary, service shall not be terminated for failure to pay amounts in dispute while a complaint filed pursuant to Rule 402 is pending before this Commission or while a case placing at issue payment for utility service is pending before a court in the state of Idaho. (7-1-93)